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PART XI

PORTS, WATERWAYS AND RAILWAYS

SECTION I.—*General Provisions.*

ARTICLE 212.

Bulgaria undertakes to grant freedom of transit through her territories on the routes most convenient for international transit, either by rail, navigable waterway, or canal, to persons, goods, vessels, carriages, wagons and mails coming from or going to the territories of any of the Allied and Associated Powers (whether contiguous or not); for this purpose the crossing of territorial waters shall be allowed.

Such persons, goods, vessels, carriages, wagons and mails shall not be subjected to any transit duty or to any undue delays or restrictions, and shall be entitled in Bulgaria to national treatment as regards charges, facilities and all other matters.

Goods in transit shall be exempt from all customs or other similar duties.

All charges imposed on transport in transit shall be reasonable, having regard to the conditions of the traffic. No charge, facility or restriction shall depend directly or indirectly on the ownership or on the nationality of any ship or other means of transport on which any part of the through journey has been, or is to be accomplished.

ARTICLE 213.

Bulgaria undertakes neither to impose nor to maintain any control over transmigration traffic through her territories beyond measures necessary to ensure that passengers are *bonâ fide* in transit; nor to allow any shipping company or any other private body, corporation or person interested in the traffic to take any part whatever in, or to exercise any direct or indirect influence over, any administrative service that may be necessary for this purpose.

ARTICLE 214.

Bulgaria undertakes to make no discrimination or preference, direct or indirect, in the duties, charges and prohibitions relating to

importations into or exportations from her territories, or, subject to the special engagements contained in the present Treaty, in the charges and conditions of transport of goods or persons entering or leaving her territories, based on the frontier crossed; or on the kind, ownership or flag of the means of transport (including aircraft) employed; or on the original or immediate place of departure of the vessel, wagon or aircraft or other means of transport employed, or its ultimate or intermediate destination; or on the route of or places of transshipment on the journey; or on whether any port through which the goods are imported or exported is a Bulgarian port or a port belonging to any foreign country; or on whether the goods are imported or exported by sea, by land or by air.

Bulgaria particularly undertakes not to establish against the ports and vessels of any of the Allied and Associated Powers any surtax or any direct or indirect bounty for export or import by Bulgarian ports or vessels, or by those of another Power, for example by means of combined tariffs. She further undertakes that persons or goods passing through a port or using a vessel of any of the Allied and Associated Powers shall not be subjected to any formality or delay whatever to which such persons or goods would not be subjected if they passed through a Bulgarian port or a port of any other Power, or used a Bulgarian vessel or a vessel of any other Power.

ARTICLE 215.

All necessary administrative and technical measures shall be taken to shorten, as much as possible, the transmission of goods across the Bulgarian frontiers and to ensure their forwarding and transport from such frontiers, irrespective of whether such goods are coming from or going to the territories of the Allied and Associated Powers or are in transit from or to those territories, under the same material conditions in such matters as rapidity of carriage and care *en route* as are enjoyed by other goods of the same kind carried on Bulgarian territory under similar conditions of transport.

In particular, the transport of perishable goods shall be promptly and regularly carried out, and the customs formalities shall be effected in such a way as to allow the goods to be carried straight through by trains which make connection.

ARTICLE 216.

The seaports of the Allied and Associated Powers are entitled to all favours and to all reduced tariffs granted on Bulgarian railways or navigable waterways for the benefit of Bulgarian ports or of any port of another Power.

Bulgaria may not refuse to participate in the tariffs or combinations of tariffs intended to secure for ports of any of the Allied and Associated Powers advantages similar to those granted by Bulgaria to her own ports or the ports of any other Power.

ARTICLE 217.

Notwithstanding any contrary provision in existing conventions, Bulgaria undertakes to grant, on the lines most convenient for international transit, and subject to the tariffs in force, liberty of transit to telegraphic messages and telephone communications to or from any of the Allied and Associated Powers, whether contiguous or not. These messages and communications shall not be submitted to any unnecessary delays or restrictions, and shall be entitled in Bulgaria to national treatment as regards facilities and rapidity of transmission. No charge, facility or restriction shall depend either directly or indirectly on the nationality of the sender or addressee.

SECTION II.—*Navigation.*

CHAPTER I.—FREEDOM OF NAVIGATION.

ARTICLE 218.

The nationals of any of the Allied and Associated Powers, as well as their vessels and property, shall enjoy in all Bulgarian ports and on the inland navigation routes of Bulgaria the same treatment in all respects as Bulgarian nationals, vessels and property.

In particular, the vessels of any one of the Allied or Associated Powers shall be entitled to transport goods of any description, and passengers, to or from any ports or places in Bulgarian territory to which Bulgarian vessels may have access, under conditions which shall not be more onerous than those applied in the case of national vessels; they shall be treated on a footing of equality with national vessels as regards port and harbour facilities and charges of every

description, including facilities for stationing, loading and unloading, and duties and charges of tonnage, harbour, pilotage, lighthouse, quarantine, and all analogous duties and charges of whatsoever nature, levied in the name of or for the profit of the Government, public functionaries, private individuals, corporations or establishments of any kind.

In the event of Bulgaria granting a preferential régime to any of the Allied or Associated Powers or to any other foreign Power, this régime shall be extended immediately and unconditionally to all the Allied and Associated Powers.

There shall be no impediment to the movement of persons or vessels other than those arising from prescriptions concerning customs, police, sanitation, emigration and immigration, and those relating to the import and export of prohibited goods. Such regulations must be reasonable and uniform and must not impede traffic unnecessarily.

CHAPTER II.—CLAUSES RELATING TO THE DANUBE.

1.—*General Clauses relating to River Systems declared International.*

ARTICLE 219.

The following river is declared international: the Danube from Ulm; together with all navigable parts of this river system which naturally provide more than one State with access to the sea, with or without transshipment from one vessel to another; as well as lateral canals and channels constructed either to duplicate or to improve naturally navigable sections of the specified river system or to connect two naturally navigable sections of the same river.

Any part of the above-mentioned river system which is not included in the general definition may be declared international by an agreement between the riparian States.

ARTICLE 220.

On the waterways declared to be international in the preceding Article, the nationals, property and flags of all Powers shall be treated on a footing of perfect equality, no distinction being made, to the detriment of the nationals, property or flag of any Power, between them and the nationals, property or flag of the riparian State itself or of the most favoured nation.

ARTICLE 221.

Bulgarian vessels shall not be entitled to carry passengers or goods by regular services between the ports of any Allied or Associated Power without special authority from such Power.

Bulgaria undertakes to maintain, in favour of the Allied and Associated Powers and of their subjects, all the facilities enjoyed by them in Bulgarian ports before the war.

ARTICLE 222.

Where such charges are not precluded by any existing convention, charges varying on different sections of a river may be levied on vessels using the navigable channels or their approaches, provided that they are intended solely to cover equitably the cost of maintaining in a navigable condition, or of improving, the river and its approaches, or to meet expenditure incurred in the interests of navigation. The schedule of such charges shall be calculated on the basis of such expenditure and shall be posted up in the ports. These charges shall be levied in such a manner as to render any detailed examination of cargoes unnecessary, except in cases of suspected fraud or contravention.

ARTICLE 223.

The transit of vessels, passengers and goods on these waterways shall be effected in accordance with the general conditions prescribed for transit in Section I above.

When the two banks of an international river are within the same State goods in transit may be placed under seal or in the custody of customs agents. When the river forms a frontier goods and passengers in transit shall be exempt from all customs formalities; the loading and unloading of goods, and the embarkation and disembarkation of passengers, shall only take place in the ports specified by the riparian State.

ARTICLE 224.

No dues of any kind other than those provided for in this Part shall be levied along the course or at the mouth of these rivers.

This provision shall not prevent the fixing by the riparian States of customs, local octroi or consumption duties, or the creation of reasonable and uniform charges levied in the ports, in accordance

with public tariffs, for the use of cranes, elevators, quays, warehouses and other similar constructions.

ARTICLE 225.

In default of any special organisation for carrying out the works connected with the upkeep and improvement of the international portion of a navigable system, each riparian State shall be bound to take suitable measures to remove any obstacle or danger to navigation and to ensure the maintenance of good conditions of navigation.

If a State neglects to comply with this obligation any riparian State, or any State represented on the International Commission, may appeal to the tribunal instituted for this purpose by the League of Nations.

ARTICLE 226.

The same procedure shall be followed in the case of a riparian State undertaking any works of a nature to impede navigation in the international section. The tribunal mentioned in the preceding Article shall be entitled to enforce the suspension or suppression of such works, making due allowance in its decisions for all rights in connection with irrigation, water-power, fisheries and other national interests, which, with the consent of all the riparian States or of all the States represented on the International Commission, shall be given priority over the requirements of navigation.

Appeal to the tribunal of the League of Nations does not require the suspension of the works.

ARTICLE 227.

The régime set out in Articles 220 and 222 to 226 above shall be superseded by one to be laid down in a General Convention drawn up by the Allied and Associated Powers, and approved by the League of Nations, relating to the waterways recognised in such Convention as having an international character. This latter Convention shall apply in particular to the whole or part of the above-mentioned river system of the Danube, and such other parts of that river system as may be covered by a general definition.

Bulgaria undertakes, in accordance with the provisions of Article 248, to adhere to the said General Convention.

ARTICLE 228.

Bulgaria shall cede to the Allied and Associated Powers concerned, within a maximum period of three months from the date on which notification shall be given her, a proportion of the tugs and vessels remaining registered in the ports of the river system referred to in Article 219 after the deduction of those surrendered by way of restitution or reparation. Bulgaria shall in the same way cede material of all kinds necessary to the Allied and Associated Powers concerned for the utilisation of that river system.

The number of the tugs and vessels, and the amount of the material so ceded, and their distribution, shall be determined by an arbitrator or arbitrators nominated by the United States of America, due regard being had to the legitimate needs of the parties concerned, and particularly to the shipping traffic during the five years preceding the war.

All craft so ceded shall be provided with their fittings and gear, shall be in a good state of repair and in condition to carry goods, and shall be selected from among those most recently built.

When the cessions provided for in the present Article necessitate the acquisition of property which was privately owned on October 15, 1918, or since that date, the arbitrator or arbitrators shall determine the rights of the former owners as they stood on October 15, 1918, and the amount of the compensation to be paid to them, and shall also direct the manner in which such payment is to be effected in each case. If the arbitrator or arbitrators find that the whole or part of this sum will revert directly or indirectly to Powers from whom reparation is due, they shall decide the sum to be placed under this head to the credit of the said Powers.

As regards the Danube, the arbitrator or arbitrators referred to in this Article will also decide all questions as to the permanent allocation, and the conditions thereof, of the vessels whose ownership or nationality is in dispute between States.

Pending final allocation the control of these vessels shall be vested in a Commission consisting of representatives of the United States of America, the British Empire, France and Italy, who will be empowered to make provisional arrangements for the working of these vessels in the general interest by any local organisation, or failing

such arrangements, by themselves, without prejudice to the final allocation.

As far as possible these provisional arrangements will be on a commercial basis, the net receipts by the Commission for the hire of these vessels being disposed of as directed by the Reparation Commission.

2.—Special Clauses relating to the Danube.

ARTICLE 229.

The European Commission of the Danube reassumes the powers it possessed before the war. Nevertheless, as a provisional measure, only representatives of Great Britain, France, Italy and Roumania shall constitute this Commission.

ARTICLE 230.

From the point where the competence of the European Commission ceases, the Danube system referred to in Article 219 shall be placed under the administration of an International Commission composed as follows:

- 2 representatives of German riparian States;
- 1 representative of each other riparian State;
- 1 representative of each non-riparian State represented in the future on the European Commission of the Danube.

If certain of these representatives cannot be appointed at the time of the coming into force of the present Treaty, the decisions of the Commission shall nevertheless be valid.

ARTICLE 231.

The International Commission provided for in the preceding Article shall meet as soon as possible after the coming into force of the present Treaty, and shall undertake provisionally the administration of the river in conformity with the provisions of Articles 220 and 222 to 226, until such time as a definitive statute regarding the Danube is concluded by the Powers nominated by the Allied and Associated Powers.

The decisions of this International Commission shall be taken by a majority vote. The salaries of the Commissioners shall be fixed and paid by their respective countries.

As a provisional measure any deficit in the administrative expenses of this International Commission shall be borne equally by the States represented on the Commission.

In particular this Commission shall regulate the licencing of pilots, charges for pilotage and the administration of the pilot service.

ARTICLE 232.

Bulgaria agrees to accept the régime which shall be laid down for the Danube by the Powers nominated by the Allied and Associated Powers, at a Conference which shall meet within one year after the coming into force of the present Treaty, and at which Bulgarian representatives may be present.

ARTICLE 233.

The mandate given by Article 57 of the Treaty of Berlin of July 13, 1878, to Austria-Hungary, and transferred by her to Hungary, to carry out works at the Iron Gates, is abrogated. The Commission entrusted with the administration of this part of the river shall lay down provisions for the settlement of accounts subject to the financial provisions of the present Treaty. Charges which may be necessary shall in no case be levied by Hungary.

ARTICLE 234.

Should the Czecho-Slovak State, the Serb-Croat-Slovene State or Roumania, with the authorisation of or under mandate from the International Commission, undertake maintenance, improvement, weir or other works on a part of the river system which forms a frontier, these States shall enjoy on the opposite bank, and also on the part of the bed which is outside their territory, all necessary facilities for the survey, execution and maintenance of such works.

ARTICLE 235.

Bulgaria shall be obliged to make to the European Commission of the Danube all restitutions, reparations and indemnities for damage inflicted on the Commission during the war.

SECTION III.—*Railways.*

CHAPTER I.—CLAUSES RELATING TO INTERNATIONAL TRANSPORT.

ARTICLE 236.

Goods coming from the territories of the Allied and Associated Powers and going to Bulgaria, or in transit through Bulgaria from or to the territories of the Allied and Associated Powers, shall enjoy on the Bulgarian railways, as regards charges to be collected (rebates and drawbacks being taken into account), facilities, and all other matters, the most favourable treatment applied to goods of the same kind carried on any Bulgarian lines, either in internal traffic, or for export, import or in transit, under similar conditions of transport, for example as regards length of route. The same rule shall be applied, on the request of one or more of the Allied and Associated Powers, to goods specially designated by such Power or Powers coming from Bulgaria and going to their territories.

International tariffs established in accordance with the rates referred to in the preceding paragraph and involving through way-bills shall be established when one of the Allied and Associated Powers shall require it from Bulgaria.

ARTICLE 237.

From the coming into force of the present Treaty the High Contracting Parties shall renew, in so far as concerns them and under the reserves indicated in the second paragraph of this Article, the conventions and arrangements signed at Berne on October 14, 1890, September 20, 1893, July 16, 1895, June 16, 1898, and September 19, 1906, regarding the transportation of goods by rail.

If within five years from the date of the coming into force of the present Treaty a new convention for the transportation of passengers, luggage and goods by rail shall have been concluded to replace the Berne Convention of October 14, 1890, and the subsequent additions referred to above, this new convention and the supplementary provisions for international transport by rail which may be based on it shall bind Bulgaria, even if she shall have refused to take part in the preparation of the convention or to subscribe to it. Until a new

convention shall have been concluded, Bulgaria shall conform to the provisions of the Berne Convention and the subsequent additions referred to above and to the current supplementary provisions.

ARTICLE 238.

Bulgaria shall be found to coöperate in the establishment of through ticket services (for passengers and their luggage) which shall be required by any of the Allied and Associated Powers to ensure their communication by rail with each other and with all other countries by transit across the territories of Bulgaria; in particular Bulgaria shall, for this purpose, accept trains and carriages coming from the territories of the Allied and Associated Powers and shall forward them with a speed at least equal to that of her best long-distance trains on the same lines. The rates applicable to such through services shall not in any case be higher than the rates collected on Bulgarian internal services for the same distance, under the same conditions of speed and comfort.

The tariffs applicable under the same conditions of speed and comfort to the transportation of emigrants going to or coming from ports of the Allied and Associated Powers and using the Bulgarian railways shall not be at a higher kilometric rate than the most favourable tariffs (drawbacks and rebates being taken into account) enjoyed on the said railways by emigrants going to or coming from any other ports.

ARTICLE 239.

Bulgaria shall not apply specially to such through services or to the transportation of emigrants going to or coming from ports of the Allied and Associated Powers any technical, fiscal, or administrative measures, such as measures of customs examination, general police, sanitary police, and control, the result of which would be to impede or delay such services.

ARTICLE 240.

In case of transport partly by rail and partly by internal navigation, with or without through way-bill, the preceding Articles shall apply to the part of the journey performed by rail.

CHAPTER II.—ROLLING STOCK.

ARTICLE 241.

Bulgaria undertakes that Bulgarian wagons shall be fitted with apparatus allowing

(1) of their inclusion in goods trains on the lines of such of the Allied and Associated Powers as are parties to the Berne Convention of May 15, 1886, as modified on May 18, 1907, without hampering the action of the continuous brake which may be adopted in such countries within ten years of the coming into force of the present Treaty, and

(2) of the inclusion of wagons of such countries in all goods trains on Bulgarian lines.

The rolling-stock of the Allied and Associated Powers shall enjoy on the Bulgarian lines the same treatment as Bulgarian rolling-stock as regards movement, upkeep, and repairs.

CHAPTER III.—TRANSFER OF RAILWAY LINES.

ARTICLE 242.

Subject to any special provisions concerning the transfer of ports, waterways and railways situated in the territory transferred under the present Treaty, and to the financial conditions relating to the concessionnaires and the pensioning of the personnel, the transfer of railways will take place under the following conditions:

(1) The works and installations of all the railroads shall be handed over complete and in good condition.

(2) Commissions of experts designated by the Allied and Associated Powers, on which Bulgaria shall be represented, shall fix the proportion of the stock existing on the system to be handed over. These Commissions shall have regard to the amount of the material registered on these lines in the last inventory before September 29, 1918, to the length of track (sidings included), and the nature and amount of the traffic. These Commissions shall also specify the locomotives, carriages and wagons to be handed over in each case; they shall decide upon the conditions of their acceptance, and shall make the provisional arrangements necessary to ensure their repair in Bulgarian workshops.

(3) Stocks of stores, fittings and plant shall be handed over under the same conditions as the rolling-stock.

ARTICLE 243.

The establishment of all the new frontier stations between Bulgaria and the contiguous Allied and Associated States, as well as the working of the lines between these stations, shall be settled by agreements concluded between the railway administrations concerned. If the railway administrations are unable to come to an agreement the question shall be decided by Commissions of experts constituted as above.

CHAPTER IV.—TRANSITORY PROVISIONS.

ARTICLE 244.

Bulgaria shall carry out the instructions in regard to transport given her by an authorised body acting on behalf of the Allied and Associated Powers:

(1) for the carriage of troops under the provisions of the present Treaty, and of material, ammunition and supplies for army use;

(2) as a temporary measure, for the transportation of supplies for certain regions, as well as for the restoration, as rapidly as possible, of the normal conditions of transport and for the organisation of postal and telegraphic services.

SECTION IV.—*Disputes and Revision of Permanent Clauses.*

ARTICLE 245.

Disputes which may arise between interested States with regard to the interpretation and application of this Part of the present Treaty shall be settled as provided by the League of Nations.

ARTICLE 246.

At any time the League of Nations may recommend the revision of such of the above Articles as relate to a permanent administrative régime.

ARTICLE 247.

The stipulations in Articles 212 to 218, 221, 236, and 238 to 240 shall be subject to revision by the Council of the League of Nations

at any time after three years from the coming into force of the present Treaty.

Failing such revision, no Allied or Associated Power can claim after the expiration of the above period of three years the benefit of any of the stipulations in the Articles enumerated above on behalf of any portion of its territories in which reciprocity is not accorded in respect of such stipulations. The period of three years during which reciprocity cannot be demanded may be prolonged by the Council of the League of Nations.

SECTION V.—*Special Provision.*

ARTICLE 248.

Without prejudice to the special obligations imposed on her by the present Treaty for the benefit of the Allied and Associated Powers, Bulgaria undertakes to adhere to any General Conventions regarding the international régime of transit, waterways, ports or railways which may be concluded by the Allied and Associated Powers, with the approval of the League of Nations, within five years of the coming into force of the present Treaty.

PART XII

LABOUR

[Identical with Part XIII of the Treaty of Peace with Germany, June 28, 1919, printed in Vol. 13 of this Supplement, p. 361.]

PART XIII

MISCELLANEOUS PROVISIONS

ARTICLE 290.

Bulgaria undertakes to recognise and to accept the conventions made or to be made by the Allied and Associated Powers or any of them with any other Power as to the traffic in arms and in spirituous liquors, and also as to the other subjects dealt with in the General